

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ZAINAB HAKIM, et al.,

Plaintiffs,

v.

REGENTS OF THE UNIVERSITY OF  
MICHIGAN, et al.,

Defendants.

Case No. 2:25-cv-11265

HONORABLE STEPHEN J. MURPHY, III

**ORDER DENYING AS MOOT MOTION TO DISMISS [21]  
AND MOTION FOR LEAVE TO FILE EXCESS PAGES [20]**

Plaintiffs filed an amended complaint as a matter of course. *See* Fed. R. Civ. P. 15(a)(1)(B); ECF No. 23. As a result of the amended complaint, the Court must address the vitality of the pending motion to dismiss. *See* ECF No. 21. The filing of an amended complaint renders the original complaint a legal nullity. *Royal Canin U. S. A., Inc. v. Wullschleger*, 604 U.S. 22, 35 (2025); 6 *Wright & Miller's Federal Practice & Procedure* § 1476 (3d ed. 2024). A motion to dismiss aimed at the original complaint is therefore generally moot once a plaintiff files an amended complaint. *Crawford v. Tilley*, 15 F.4th 752, 759 (6th Cir. 2021).

Occasionally, district courts have exercised their discretion and considered a motion to dismiss the now-null original complaint when the new and old complaints are substantially identical. *Id.* at 759. The Court will decline to do so here because Plaintiffs adjusted their allegations, amended their alleged causes of action, and added parties. *Compare* ECF No. 1, PageID.51–62 (including five causes of action and

368 allegations), *with* ECF No. 23, PageID.434–450 (including seven causes of action and 433 allegations); ECF No. 14-1. Here, it is tidier for any motion practice related to the new complaint to proceed afresh. Defendants must thus respond to the amended complaint no later than fourteen days after its filing. Fed. R. Civ. P. 15(a)(3).

**WHEREFORE**, it is hereby **ORDERED** that Defendants’ Motion to Dismiss [21] and motion for leave to file excess pages [20] are **DENIED AS MOOT**.

**SO ORDERED.**

s/ Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: August 5, 2025